

Filed in Douglas County Court

*** EFILED ***

Case Number: C01CI160006920

Transaction ID: 0003625314

Filing Date: 04/13/2016 02:40:52 PM CDT

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

KEITH OATES,

Plaintiff,

vs.

DILLON COMPANIES, INC., D/B/A
BAKER'S SUPERMARKETS,

Defendant.

Case No. _____

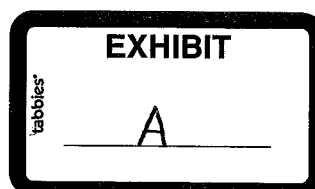
COMPLAINT

Plaintiff alleges:

1. Plaintiff is a resident of Omaha, Douglas County, Nebraska;
2. Defendant is a Kansas corporation doing business in Nebraska.
3. The operative facts took place at two Baker's Supermarkets owned by the defendant in Omaha.
4. Defendant last took adverse action against the plaintiff on December 18, 2014.
5. Plaintiff filed a timely charge with the NEOC against defendant on the basis of disability, perception of disability and retaliation under Neb. Rev. Stats§48-1114(1) and Neb. Rev. Stats. 48-1114(2). The charge number was NEB 1-14/15-6-45945.
6. Plaintiff was mailed a right to sue letter on charge on NEB 1-14/15-6-45945 on January 14, 2016.

Facts

7. Plaintiff originally filed a charge of discrimination against the defendant, NEB 2-13/14-8-44139 RS.
8. Parties agreed to settle this charge with an agreement to place plaintiff at defendant's store on 4405 N. 72nd in Omaha, NE.
9. That plaintiff attempted to return to work on December 18, 2014 after the agreement was executed, but that plaintiff was not on the schedule at the store at 4405 N. 72nd Street.
10. That plaintiff worked eight hours that day anyway.
11. That plaintiff has an intellectual disability.
12. That plaintiff returned to work the next day with his mother and he was told that he was not on the schedule at the store.



13. That plaintiff's mother tried to contact management for the defendant multiple times but was unable to find out whether plaintiff was put back on the calendar.

14. That at no time did the defendant attempt to contact plaintiff or plaintiff's mother about returning to work at the store at 4405 N. 72nd Street.

15. That defendant's failure to contact plaintiff about a definite return to work date constituted adverse activity.

Count 1:

16. That defendant's failure to place plaintiff back to work was motivated by his disability status.

Count 2:

17. That defendant's failure to place plaintiff back to work was motivated by him exercising his rights under Neb. Rev. Stat. 48-1101, et al.

Count 3:

18. That defendant breached its contractual obligations to the plaintiff in failing to place plaintiff at the store at 4405 N. 72nd Street in Omaha, NE.

Prayer for Relief

Plaintiff asks for a trial by jury and for all relief allowed for by law.

KEITH OATES, Plaintiff

REHM, BENNETT & MOORE, P.C., L.L.O.
3701 Union Dr., #200
Lincoln, NE 68516
(402) 420-1400
E-mail: jonrehm@rehmlaw.com

For the firm: _____
Jon Rehm, #23097

Image ID:
D03835190C01

SUMMONS

Doc. No. 3835190

IN THE COUNTY COURT OF Douglas COUNTY, NEBRASKA
1701 Farnam-Criminal/Trfc/Probate
1819 Farnam - Civil/Small Claims
Omaha NE 68183

Keith Oates v. Dillion Companies, Inc.

Case ID: CI 16 6920

TO: Dillion Companies, Inc.
DBA: Baker's Supermarkets

FILED BY
Clerk of the Douglas County Court
04/13/2016

You have been sued by the following plaintiff(s):

Keith Oates

Plaintiff's Attorney: Jonathan V Rehm
Address: 3701 Union Dr. #200
Lincoln, NE 68516

Telephone: (402) 474-2300

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: APRIL 13, 2016

BY THE COURT:

Festie A. Douglas
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Dillion Companies, Inc.
CSC-Lawyers Inc Service Co-RA
233 South 13th Street, Suite 190
Lincoln, NE 68508

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

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IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

KEITH OATES,)	Case No. _____
)	
Plaintiff,)	
)	
vs.)	PRAECIPE
)	
DILLON COMPANIES, INC., D/B/A)	
BAKER'S SUPERMARKETS,)	
)	
Defendant.)	

To the Clerk of Said Court:

Please issue summons in the above-entitled action for service by certified mail, with a copy of the Complaint attached thereto for service on the Defendant at:

CSC- Lawyers Incorporating Service Company – Registered Agent
Dillon Companies, Inc., d/b/a Baker's Supermarkets
233 South 13th Street, Suite 190
Lincoln NE 68508

Summons should be mailed and/or sent by electronic mail to Plaintiff's attorney for service by certified mail.

KEITH OATES, Plaintiff

REHM, BENNETT & MOORE, P.C., L.L.O.
3701 Union Dr., #200
Lincoln, NE 68516
(402) 420-1400
E-mail: jonrehm@rehmlaw.com

For the firm: _____
Jon Rehm #23097

Filed in Douglas County Court

*** EFILED ***

SERVICE RETURN

Case Number: C01CI160006920

Transaction ID: 003550060

Filing Date: 04/21/2016 01:08:40 PM CDT

Douglas County Court
 1701 Farnam-Criminal/Trfc/Probate
 1819 Farnam - Civil/Small Claims
 Omaha NE 68183

To:

Case ID: CI 16 6920 Keith Oates v. Dillion Companies, Inc.

Received this Summons on _____, _____. I hereby certify that on

_____, _____ at _____ o'clock __M. I served copies of the Summons
upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage _____ miles _____

TOTAL \$ _____

Date: _____ BY: _____
(Sheriff or authorized person)

**CERTIFIED MAIL
 PROOF OF SERVICE**

Copies of the Summons were mailed by certified mail,
 TO THE PARTY: Dillion Companies, Inc., CSC-Lawyers Inc Service Co-RA

At the following address: 233 South 13th Street, Suite 190
Lincoln, NE 68508

on the 14th day of April 2016, as required by Nebraska state law.Postage \$ _____ Attorney for: Keith Oates

The return receipt for mailing to the party was signed on _____, _____.

To: Dillion Companies, Inc.
 CSC-Lawyers Inc Service Co-RA
 233 South 13th Street, Suite 190
 Lincoln, NE 68508

From: Jonathan V Rehm
 3701 Union Dr. #200
 Lincoln, NE 68516

ATTACH RETURN RECEIPT & RETURN TO COURT

Certificate of Service

I hereby certify that on Thursday, April 21, 2016 I provided a true and correct copy of the Return-Summons to the following:

Dillion Companies, Inc. service method: No Service

Signature: /s/ Rehm,Jonathan Verners (Bar Number: 23097)